

REMARKS

The present invention is an electronic commerce system, a method for providing electronic commerce, a portable radio device and a method of operating an electronic commerce system. The invention pertains to electronic commerce wherein the combination of an issuer 10 of electronic tokens, customer 20 which obtains goods or services, vendor/merchant 30 which provides the goods or services and delegate 40 which can be delegated by the customer to obtain the goods or services, interact in accordance with the diagram of Fig. 1 with the delegation being performed by radio devices or terminals. With the invention, a selection is made between spending of electronic tokens by the customer with the vendor to obtain goods or services or the delegation of electronic tokens to a delegate so that the delegate can spend the tokens with the vendor. The transfer of tokens from a customer to a delegate is performed via portable radio communication device of the customer communicating with a radio communication device of the delegate. This facilitates the transfer of tokens to delegates, such as children, to provide controlled sending of tokens for only specified goods or services as approved by the customer. See paragraph [0009] of the Substitute Specification.

The title stands objected to. A new title has been supplied.

Claims 1-12 have been rejected for containing "may be" terminology. Newly submitted claims 13-34 have been prepared to overcome the stated grounds of objection.

Claims 1-12 stand rejected under 35 U.S.C. §102 as being anticipated by United States Patent 6,157,920 (Jakobsson et al). These grounds of rejection are traversed for the following reasons.

Each of independent claims 13, 20 and 24-28 recite an electronic commerce system, a method for providing electronic commerce, a portable radio device or a method of operating an electronic commerce system in which electronic commerce is provided by tokens issued by an issuer to a customer and stored in the customer's portable radio communication device. The electronic tokens are recited for use in buying goods or services from a vendor with a selection being made of spending the tokens with the vendor by the customer or delegating the tokens to the delegate via a radio communication device of the delegate such that the delegate can spend the tokens with the vendor to obtain the goods or services. This subject matter is not disclosed in Jakobsson et al.

Jakobsson et al discloses electronic transactions carried out over a computer network in which so-called "X-CASH" is bound to corresponding rights to be transferred to another party in a situation such as involving a trade. See column 4, lines 13-67 through column 5, lines 1-46. There is no counterpart in Jakobsson et al of the claimed relationship as set forth in the independent claims involving radio devices associated with a customer and delegate operating in association with a vendor and issuer of electronic tokens.

It is noted that the Examiner suggests that such a relationship exists in the discussion of the rejection of claims 1-8 with citation being to column 2, lines 50 through column 5, line 46 in Figs. 2-5. However, it is submitted that the above description of Jakobsson et al involving "X-CASH" being utilized in electronic

commerce involving trading suggests no counterpart of the relationship involving a delegate and the transfer of electronic tokens between a radio device of the customer and a radio device of the delegate to transfer the obtaining of goods or services from the customer to the delegate. If the Examiner persists in his position that the claims are anticipated, it is requested that he specifically point out on the record where each of the entities in Jakobsson et al, which the Examiner considers to be responsive to the claimed customer, issuer, delegate and vendor, including the functions recited therein, are disclosed in Jakobsson et al.

Newly submitted claims 26 and 27 recite first and second terminal devices generically corresponding to the disclosed devices of the customer and delegate associated with first and second users in combination with an issuer of electronic tokens and a vendor from which obtainable goods or services are obtained by use of the electronic tokens. There is no counterpart of the claimed transfer of the first terminal communicating with an issuer to obtain electronic tokens and transferring the electronic tokens to a second terminal with the second terminal device communication communicating with the vendor to obtain the goods or services. Similarly, newly submitted claim 28 recites multiple terminal devices involving related subject matter which has no counterpart in Jakobsson et al.

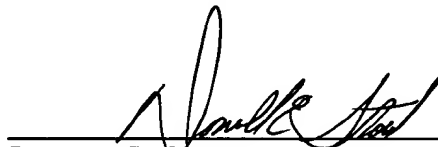
It is submitted that a person of ordinary skill in the art would not be motivated to modify the teachings of Jakobsson et al to arrive at the subject matter of the newly submitted independent claims. Moreover, the dependent claims define more specific aspects of the present invention which are neither anticipated nor rendered obvious by Jakobsson et al.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (367.39359X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read 'Donald E. Stout', is written over a horizontal line.

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Attachments

DES:dlh